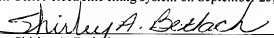


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Martin T. Gerber; John M. Swoyer	Confirmation No.	1410
Serial No.:	10/698,291		
Filed:	October 31, 2003	Customer No.:	28863
Examiner:	George C. Manuel		
Group Art Unit:	3762		
Docket No.:	1023-277US01		
Title:	IMPLANTABLE STIMULATION LEAD WITH FIXATION MECHANISM		

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on September 23, 2008.

By:



Name: Shirley A. Betlach

NOTICE OF APPEAL

MAIL STOP AF
Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-5, 7-26 and 28-67 of the above-identified application, as set forth in the Office Action mailed June 23, 2008.

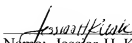
On August 6, 2007, Applicant filed a first Notice of Appeal and paid the Notice of Appeal fee. Prosecution was reopened following the filing of the first Notice of Appeal. Accordingly, the previously paid Notice of Appeal fee may be applied to the present Notice of Appeal.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1778.

Date:

By:

September 23, 2008
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